

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-14 and 21-22 remain in the application. Claim 1 has been amended. Claims 15-20 have been cancelled.

In item 5 on pages 3-5 of the above-mentioned Office action, claims 1-5, 7-9, 12-14, and 21-22 have been rejected as being unpatentable over Schuele et al. (US Pat. No. 5,930,639) in view of Watabe (JP 5-315457) and Hwang (US Pat. No. 5,621,606) under 35 U.S.C. § 103(a).

In item 6 on pages 5-6 of the above-mentioned Office action, claim 6 has been rejected as being unpatentable over Schuele et al. in view of Watabe and Hwang and further in view of Chung (US Pat. No. 5,976,394) under 35 U.S.C. § 103(a).

In item 7 on page 6 of the above-mentioned Office action, claims 10-11 have been rejected as being unpatentable over Schuele et al. in view of Watabe and Hwang and further in view of Yang et al. (US Pat. No. 5,436,190) under 35 U.S.C. § 103(a).

The rejections have been noted and claim 1 has been amended in an effort to even more clearly define the invention of the instant application. Support for the changes is found on page 19, lines 1-11 of the specification as well as Figs. 5-6 of the drawings.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, inter alia:

applying at least one insulation layer on the electrode configuration, and structuring the insulation layer to form at least two contact holes with different depths, the contact holes having substantially same diameters; and

preventing breaking through of the electrode configuration and formation of redeposition of the material of the first conductive layer by the second conductive layer during overetching of the electrode configuration due to the different depths of the contact holes.

As agreed to by the Examiner, Schuele et al. do not disclose the feature "structuring the insulation layer to form at least two contact holes with different depths" as recited in claim 1 of the instant application (see the first paragraph on page 4 of the Office action).

According to the invention of the instant application, the electrode configuration (10) has, by virtue of the titanium

nitride layer (7) (the second layer of the electrode configuration), a greater thickness, with the result that breaking through of the electrode configuration (10) during the overetching due to the different depths of the contact holes (12,13). Also, the formation of redeposition from the material of the platinum layer (6) (the first layer of the electrode configuration) during the overetching is prevented. See page 19, lines 1-11 of the specification of the instant application.

In contrast, in Watabe the electrode 10 at the bottom of the contact hole 22 is prevented from being broken through by controlling the etching rate by changing the size (diameter) of the contact holes 20, 22. Nowhere does Watabe disclose or suggest preventing the breaking through of the electrode by applying a titanium nitride layer on the platinum layer during overetching of the electrode configuration due to the different depths of the contact holes.

Although Schuele et al. disclose a titanium nitride layer, it is not disclosed or suggested anywhere in Schuele et al. that the titanium nitride layer can prevent breaking through of the electrode during overetching of the electrode configuration due to the different depths of the contact holes because

Schuele et al. do not disclose forming contact holes of different depths.

Other cited references do not make up for the deficiencies of Schuele et al. and Watabe.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Claim 1 is, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-14 and 21-22 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made. Please charge any fees which might be due with respect to 37 CFR Sections 1.16 and 1.17 to

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Respectfully submitted,

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